

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) if it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) if in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department for workers of Chase Home Finance LLC, a Division of JP Morgan Chase & Co., Lexington, Kentucky was based on the finding that the worker group does not produce an article within the meaning of Section 222 of the Trade Act of 1974.

The petitioner states that employment at the subject firm was negatively impacted by a shift of job functions to the Philippines. The petitioner also states that regardless of whether the workers of the subject firm produce a product or provide services, they should be certified eligible for Trade Adjustment Assistance.

The investigation revealed that the workers of Chase Home Finance LLC, a Division of JP Morgan Chase & Co., Lexington, Kentucky provide loan services for home mortgages and home equity lines of credit. These functions, as described above, are not considered production of an article within the meaning of Section 222 of the Trade Act of 1974.

The allegation of a shift to another country might be relevant if it was determined that workers of the subject firm produced an article. Since the investigation determined that workers of Chase Home Finance LLC, a Division of JP Morgan Chase & Co., Lexington, Kentucky do not produce an article, there cannot be imports nor a shift in production of an "article" abroad within the meaning of the Trade Act of 1974 in this instance.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

### Conclusion

After review of the application and investigative findings, I conclude that there has been no error or

misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC, this 30th day of April 2008.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-10034 Filed 5-6-08; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,771]

#### **Parlex U.S.A., Laminated Cable Division, Including On-Site Leased Workers of Technical Needs, Marathon, Atwork Personnel Methuen, MA; Notice of Revised Determination on Reconsideration**

On April 1, 2008, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on April 11, 2008 (73 FR 19896).

The previous investigation was initiated on January 30, 2008, resulted in a negative determination issued on February 14, 2008, was based on the finding that, during the relevant period, the number of workers separated from the subject did not constitute a significant number or proportion of the subject worker group (at least 5 percent) and there was no threat of future separations. The denial notice was published in the **Federal Register** on February 29, 2008 (73 FR 11153).

To support the request for reconsideration, the petitioner supplied additional information regarding employment at the subject firm and indicated that at the time the petition was filed, there was a threat of worker separations at the subject firm.

Upon further contact with the subject firm's company official, it was revealed that the subject firm separated a significant number of workers during March 2008 and there is a threat of future separations. The investigation also revealed that the subject firm was in the process of shifting production of laminated cable to China. It is likely that the company will increase imports of laminated cable.

In accordance with section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor

herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

### Conclusion

After careful review of the facts obtained in the investigation, I determine that there was a shift in production from the workers' firm or subdivision to China of articles that are like or directly competitive with those produced by the subject firm or subdivision, and there has been or is likely to be an increase in imports of like or directly competitive articles. In accordance with the provisions of the Act, I make the following certification:

All workers of Parlex U.S.A., Laminated Cable Division, including on-site leased workers of Technical Needs, Marathon, Atwork Personnel, Methuen, Massachusetts, who became totally or partially separated from employment on or after January 29, 2007, through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 28th day of April 2008.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-10032 Filed 5-6-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-63,222]

#### **Brockway Mould, Inc., Brockport, PA; Notice of Termination of Investigation**

In accordance with Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 21, 2008 in response to a worker petition filed by a company official on behalf of workers of Brockway Mould, Inc., Brockport, Pennsylvania.